

EXHIBIT D

Comparison of Claim 1 of the Martin '159 Patent and Claim 61 of the Leithem Application

| Claim 1 Martin '159 Patent | Claim 61 Leithem '125 Application |
|---|---|
| <p>1. A method for making an absorbent composite useful for personal hygiene articles which comprises:</p> <p>treating a wood fiber pulp containing wood fibers with a base</p> <p>at a temperature ranging from about 0° C. to about 80° C.</p> <p>thereby forming a treated wood fiber pulp containing wood fibers;</p> <p>dry shredding the treated wood fiber pulp to form an absorbent sublayer material comprised of fluffed base-treated wood pulp;</p> <p>providing at least one fluid permeable topsheet layer</p> <p>and at least one substantially fluid impermeable backsheets layer;</p> <p>and interposing the sublayer material between the topsheet layer and backsheets layer.</p> | <p>61. A method for making an absorbent composite useful for personal hygiene articles which comprises:</p> <p>treating a wood fiber pulp containing wood fibers with a base</p> <p>at a temperature ranging from 15° C. to about 60°C.</p> <p>thereby forming a treated wood fiber pulp containing wood fibers;</p> <p>fluffing the treated wood fiber pulp to form an absorbent sublayer material comprised of fluffed base-treated wood pulp;</p> <p>providing at least one fluid permeable topsheet layer</p> <p>and at least one substantially fluid impermeable backsheets layer;</p> <p>and interposing the sublayer material between the topsheet layer and the backsheets layer.</p> |

Applicants note that where claim 1 of the Martin '159 patent defines the step of "dry shredding" the treated wood fiber pulp, claim 61 of the Leithem '125 application defines the step of "fluffing" the treated wood fiber pulp. This is not a patentable distinction. As stated by the inventors during the prosecution of the Martin '159 patent, "one skilled in the art of pulp processing would recognize the phrase 'fluffed pulp' to mean a product consisting of unbonded wood pulp fibers which is produced by dry shredding wood pulp in either web or sheet form." Martin '159 patent, July 16, 1997 Amendment Under 37 §1.116, p. 3. A copy of this amendment is attached as "Exhibit E".

Exhibit D to Request For Interference in 09/334,125

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